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SPEECH OF MR WISE.

In the House of Representatives.

January 22.

On the Resolution submitted by Mr. Adams for the Appointment of a Committee of Enquiry on the subject of the failure of the Fortification Bill.

Mr. Wise said, Mr. Speaker, I have not much to say, but what I have to say, are principally facts, and shall be confined to facts. I did not expect, sir, that this discussion upon this very important matter would come up to-day.—I was in the midst of preparation for this discussion on another occasion, and if I should not be so well prepared, or as well arranged in my facts as I could wish, I hope the House will pardon me. I will endeavor to have the whole case at all events in print.

Mr. Speaker, this is an important question. The fate of the presidential canvass is, in part made to depend upon it. It has been discussed during the last summer in all the public prints in the country. It has been discussed elsewhere since the meeting of Congress, and the discussion has commenced here, and permit me to say, sir, the discussion thus far has been conducted blind fold. I say, sir, the true issue of the failure of the fortification bill is not between the Senate of the United States and the House of Representatives. That, sir, is not the issue. I say it, and I will prove it from this journal, and from facts in addition to this journal that neither the Senate nor the House is responsible for the failure of that bill. The gentleman must pardon me, but as Nathan said unto David (pointing to Mr. Cambreleng) "*thou art the man*!"

Mr. Speaker, I feel no excitement when I make this charge. *I* feel, sir, no personal ill-will towards the gentleman from New York, when I make this charge *I* must say that that gentleman has ever been courteous and even kind towards me, and my feelings towards him are certainly of the same description—Sir, I respect him. But the question is up, and here is the place to discuss it, and here it may be fairly made known that he was one of the committee of conference on the part of this House, on that memorable occasion; and another member of that same committee is now in another body. From both ends of this capitol let the truth, the whole truth, and nothing but the truth go out to the country. Let us tell it as gentlemen. I shall give this gentleman a fair opportunity now to try to tell it. I shall charge him in part, ay, sir, almost in whole with being responsible for the failure of that bill. I have charges too, Mr. Speaker, to make against others; and when the gentleman from North Carolina (Mr Bynum) the other day was so particular as to throw stumbling blocks in the way of those who should be inclined to forestall the truth, he tendered the issue.—Holding them to the facts here they are:

On Tuesday, the third of March, 1835, the three million amendment to the bill No. 600, entitled an act making appropriations for certain fortifications, was concurred in—see journal, page 509, 186 members present, and the vote being ayes 109, noes 77 *I* beg gentlemen to note the number of members then present, and voting when this amendment was offered—186 The Senate disagreed to this amendment, and the House refused to recede, by a vote of ayes, 87, noes 110—197 members being then present, and voting. On motion of Mr. Cambreleng, (I use the gentleman's name as a member of the last Congress, which, I presume is in order,) the *House* insisted on its amendment, and the Senate was made acquainted therewith. The Senate then returned a message that they adhered to their disagreement. Mr. Cambreleng then moved that the House adhere; and on the question that the House recede, the ayes were 88, noes 107—195 members then present. The House then asked a conference; and Mr. Cambreleng, of New York, Mr. Lewis, of Alabama, and Mr Hubbard, of New Hampshire, were appointed a Committee of Conference. *Here* I regret, sir, that the gentleman from Alabama is sick.—Mr. Lewis is not here to testify, and I am sorry for it At this point I beg the House to notice the proceedings, as recorded on the journals. A number of enrolled bills were then reported, and then immediately passed the Cumberland road bill. And here let me add that, before the vote on the Cumberland road bill was taken, Mr. Gilmer, of Georgia rose in his seat—he sat near me—took out his watch, and announcing that the hour of twelve had arrived, departed from the House. Before Mr. Gilmer did this if I recollect right, this Committee of Conference had returned.

[Mr Cambreleng said that the vote on the Cumberland road bill was taken before the Committee of Conference left the House. They remained to vote; and Mr. Hubbard was present when Mr. Gilmer declined voting."

Mr. Wise proceeded. It is a strange fact, then, that the gentleman should have remained till 12 o'clock before going out to meet the Committee of Conference on the part of the Senate. However, be that as it may, I can testify, Mr. Speaker, that the vote on the Cumberland Road bill was after 12 o'clock at night. I can testify that the gentleman whose name reads Churchill C. Cambreleng, in the last Congress, is recorded as voting on that bill, after 12 o'clock at night. Mark that fact. I will show it.

Another name I will mention here, and I beg the House to note that fact also, that reads Samuel Beardsley who voted on that bill after 12 o'clock that night. I beg the House to remember that fact.

Mr. BEARDSLEY explained. He said it was true that he voted upon that bill, and it was the last vote he gave. He should not undertake to say whether the gentleman's time piece indicated 12 o'clock or not, but Mr. B.'s did not at that time. He repeated that that was the last vote he gave; and shortly after, another question being presented, he declined voting, because he was then satisfied that the hour of 12 had arrived.—The gentleman might suppose that the Cumberland Road bill was voted upon after 12 o'clock. Mr. B. would not say it was not so, but this he would say he had not satisfactory evidence to his mind that the hour of 12 had arrived. He recollected that Mr. Gilmer rose and declined voting, alleging that 12 o'clock had arrived; but it was not surprising that a diversity of opinions should exist on a few moments of time. The gentleman from Virginia might prove that Mr. B. voted after that hour, but really his mere assertion would hardly establish the fact.

Mr. WISE. I will put a question to the gentleman Did he never vote before after 12 o'clock at night on the last night of the session?

MR. BEARDSLEY said he had no recollection of having ever done so.

Mr. WISE. Well, *I* state the fact; or I know the fact that Mr. Gilmer of Georgia did, before that bill was announced to the House, and it was the first notice the House had that 12 o'clock had arrived, take his watch from his pocket and declare it. I can prove it by a gentleman who perhaps recollects it, though I have not conversed with on the subject, a leading man on that bill, who sat by me; and held me down in a good natured kind of a manner, from making any opposition to the bill. He, perhaps, may have forgotten it, but I remember it well I intended to call the attention of the House to the fact that it was af-12 o'clock, and it struck me that we were defunct.

Mr Speaker, this is not all. Two enrolled bills were afterwards reported, and then Mr. Jarvis, of Maine, moved a resolution to adjourn on the account of the time of night; see page 523 of the Journal This, sir, was after Mr. Gilmer had retired, and after the vote on the Cumberland road bill, for which Mr. Beardsley voted

The Chair said, if the gentleman from Virginia referred to members of the last Congress, who were members of the present, it would be courteous and proper to refer to the State from which they came.

Mr. WISE—I read from the journals. Well, I beg the attention of the House to the fact, that Mr. Jarvis, of Maine, moved a resolution to adjourn, on account of the time of night, thereby directly calling the attention of the House to the fact that the session had expired; that the hour had come and that we were dead. The resolution then came up, and upon a vote, there was no quorum of a sudden, only 113 members being present. Still we find Mr. Churchill C. Cambreleng still voting.

The CHAIR again interposed; and said, if the gentleman read from the journal, it was proper to use the name of a member; but if not, it was only in order to refer to the State from whence he came.

Mr. WISE. Well, I will take the Speakers's course and not my own—I will read from the journal. The previous question was moved, and on the question, "Shall the main question be now put?" there were found 111 in the affirmative, and 2 in the negative, being only 113, and no quorum. Here, sir, I find the names of John Quincy Adams and Churchill C. Cambreleng, both voting after 12 o'clock at night, and after they said the House was defunct. Where were their consciences? Where

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The CHAIR said it was not in order to indulge in personalities, or to refer to the motives of other members of the House.

Mr. WISE. Why, the gentleman before me (Mr. Cambreleng) is continually assuring me, sir, that he does not object to it, and I hope the Speaker will permit me to proceed. The gentlemen from Massachusetts has said, that, gentlemen refused to vote after 12 o'clock on "conscientious scruples." I put the question then, in a more charitable phrase. Where were their "scruples." Not only had Mr. Gilmer retired from the House, but a resolution had been expressly offered to adjourn, assigning as a reason that the hour had expired—not given verbally and in writing & the reason of the notice given, before this vote was taken. Mr. Speaker, where were gentlemen's "scruples then?"

Then, sir, came a report from the President of the United States, of bills signed by him. The President at this time was in the Speaker's room. I know the fact, that after 12 o'clock the President was in the Speaker's room signing bills, and that bills signed by him did not come in until after Mr. Gilmer had retired, and after Mr. Jarvis had offered his resolution.

The CHAIR stated to the gentleman that by the law by which the proceedings of that House had always been governed, no gentlemen addressing the Chair could mention a member by name but must designate him by his State: and the gentleman was not in order to do so, unless he was reading from the journal.

Mr. WISE. What name, sir?

The CHAIR. The name of Mr. Jarvis.

Mr. WISE. I am reading from the journal.

The CHAIR said he did not so understand the gentleman.

Mr. WISE. Why those members were dead last session of Congress.

The CHAIR said he had made the suggestion to the gentleman, and it was for the House to permit it or not.

Mr. MERCER said, if his colleague referred to members of the last Congress, he must; of necessity, use their names, for he could not otherwise designate whom he meant.

Mr. WISE. I claim the right to do so, and I protest against the interruption of the Speaker. No gentleman can proceed with a train of thought if he is continually interrupted.

The CHAIR said he had no intention of interrupting the gentleman from Virginia. The gentleman must be aware that the rules were as imperative on the presiding officer of the House to enforce order, as on its members.

Mr. WISE—I will then proceed to say that came a report of the [illegible] his seat, and after the resolution to adjourn, on account of the expiration of the hour had been offered, so that the House had received double notice. A motion was then again made by Mr. Jarvis of Maine, to adjourn, and, in deciding the question by yeas & nays. Samuel Beardsley of the last Congress declined voting then for the first time. His name was passed over, and the yeas were 15, nays 103. Mr. Jarvis, of the last House of Representatives voting in the affirmative, after this previous announcement, that 12 o'clock had passed, by two separate resolutions to adjourn; and Churchill C. Cambreleng voting in the negative against adjournment. All this after two separate resolutions had been offered to adjourn, assigning that the hour had expired, and after it was notorious that a member had left his seat for the same reason. Now, sir, gentleman may excuse themselves from voting in the affirmative, for adjourning, but I am at an utter loss to see what "conscientious scruples" can justify their voting in the negative, after the House no longer existed in law, and possessed no legislative functions or power. Mr. Speaker, I intend to travel through the whole record, so that the whole truth may be known, even to the pointing, aye, to the crossing of the t's, and the dotting of the i's.

Sir, after this resolution to adjourn failed for want of a quorum, Mr. William Cost Johnson, made a report from a committee which was read, and the Speaker laid before the House various communications from the Departments, which were received, and the Postmaster General's letter read in part, and all ordered to be printed Every species of legislative functions was performed. Every one voting. The Speaker sitting there, the House sitting here, after the two resolutions had been offered ass gning as a reason for adjourning, that the hour had expired. Nor is this all. Mr. White, of Florida, laid an act of the legislative body of that Territory before the House, which was laid on the table, and then came a message from the Senate, which was read, to notify the House that the Senate were waiting, &c. That was as much as to say to the House, we do not wish this bill to fall, and we call upon you to vote; we ask you to save the interests of the country, so far as it regards this bill. I now beg the attention of the House to this part of the journal. A message was received from the Senate by Mr Lowrie, their Secretary, as follows: "Mr. Speaker, I am directed to bring to this House a resolution, as follows:

"Resolved That a message be sent to the honorable the House of Representatives, respectfully to remind the House of the report of the Committee of Conference appointed on the disagreeing votes of the two Houses, on the amendment of the House to the amendment of the Senate to the bill respecting the fortifications of the United States."

"This resolution having been read, the Secretary withdrew, and Mr. Cambreleng, Chairman of the Committee of Conferees on the part of this House, then rose and stated, that he declined to make a report" Now sir, mark the two reasons, and compare them with the facts on the journals—"on the ground that from the vote granting compensation to the Hon. Robert P. Letcher' he fixes the time here antecedent to his votes on other questions, 'on the ground that it was ascertained that a quorum was not present' Why, sir, were not a quorum present? That is what I wish to come to Up to a given mark, up to a given line, to a particular point, you can trace it; see from page 174 to page 198 of the journal. Why were not a quorum present? Were members not here! Sir, were they not standing in every direction about the chair, and behind the pillars? Were there not two more members present when the 118 voted. We wanted but two more to make a quorum?—Were there not two gentlemen here, one sitting before me, who excused himself from voting, and another who refused to vote? Sir, were there not twenty here who could vote as circumstances happened to please Now, this is the truth.—They were here, & they would not vote Who were they? I will not be invidious, but refer the journal for yourself, sir—Look at the names It was not this House that was to blame. We were ready, a majority were ready to pass that bill The House of Representatives did nobly in all respects, the last night of the session. Some, it is true, were sleepy—some were—I beg pardon, I was about to say some were drunk, but drunk or sober they were ready to vote, and ready to pass that bill, but the Chairman of the Committee of Conference would not vote, because there was no quorum—Now, sir, did we know there was no quorum without a call of the House?—

Mr. CAMBRELENG. I knew it.

Mr. WISE. Yes, I know you knew it, but how long did you know it. Where were those who were ordered to be present on that occasion?

Look at the gentleman's other reason It is on the ground that the constitutional term for which this House was chosen had expired;' and yet immediately following thus, there is the name of Churchill C. Cambreleng voting in the affirmative after he had assigned that reason. Sir, I cannot understand this. The gentlemen cannot explain this.

Mr. CAMBRELENG. Yes I will.

Mr. WISE. You will attempt it, but you cannot explain it.

Well sir, a motion is then made to adjourn, and the following is the vote, ayes 35 noes, 76, only 111 voting, and still no quorum Among the list of negatives on the very last night, at the fag end of all the votes, is found the names of John Quincy Adams.

Mr. ADAMS begged leave to explain The gentlemen had referred to his votes. Now, Mr. A. said, he did not stay in the House, and vote upon every question till the last. He voted under the impression, as he thought, he had sufficiently explained that morning, that the power of Congress, continued, under the Constitution, till noon of the 4th of March. He did not concur with those gentlemen who would not vote after 12 o'clock that night. He would have stand and voted till noon, if the House had so desired it. Therefore the gentlemen would find his name upon every vote of the night of the 3d of March, up to the very last vote taken.

Mr. WISE. So I understood the gentlemen, and I also understood him then to debate the question with my colleague as to the hour, and to entertain the same opinion now as he did then, and yet the gentleman was found voting against adjournment and not for it, although he believed the constitutional existence of the House had ceased.

Mr. MERCER said his colleague had totally misapprehended the gentleman from Massachusetts. [Mr. M. then in substance repeated Mr. Adam's explanation]

Mr. WISE. Then I have misunderstood the gentlemen I thought he had argued all day to day that the House was defunct at 12 o'clock that night. The distance of the gentleman's seat prevented my hearing him distinctly. Glad I am to know it is the reverse, for the gentleman's opinion is one I regard highly on such questions

But sir, there was another name that must not be forgotten by the side of the towering name of the gentleman from Massachusetts. That name reads Churchill C. Cambreleng. Nor is this all, sir. Mr. Francis O. J Smith then moved a message to the Senate, to notify that body that the House had completed all its business. After the Senate had sent us a notice to bring to our notice the fortification bill, and to beg us to act upon it, Mr. Francis O J. Smith, one of the most faithful in the list, moved a message to the Senate to notify that body that this body had completed its business Pending this, and an amendment assigning the want of a quorum. the House, on motion of Mr. Mason, of Virginia, adjourned, without the usual act of courtesy. Sir, I say it was one of the most disgraceful scenes I ever witnessed, the adjournment of the last House of Representatives. It was more like barbarians and savages than the representatives of a civilized nation. Sleepy, tired, drunk—

Mr BYNUM rose to a question of order. He would ask whether it was in order for a gentleman to rise in his seat, and traduce the House of Representatives in this way.

Mr. WISE. I do not pretend to say, Mr Speaker, that all were drunk, or that one half were, or one third, or even a fifth, or a tenth, but I know that some were drunk, and that I was not of the number

Mr LANE said he should like to hear their names.

Mr. WISE. The gentleman might be unhappy, sir, if I were to mention names.

To go back a little sir, after this motion to adjourn, in which we find the names of the members I have mentioned, another message was received from the Senate by Mr. Lowrie, their Secretary, informing the House that the Senate had finished its legislative business. Now it is well known both by this House of Representatives and the last, that I was not an advocate of the Senate, nor do I now pretend to stand up in this contest between the Senate and the House. But, sir, I say 'give the devil his due.' Let the truth be told. The Senate had passed its bills, and had finished its business, but when the resolution was offered by Mr. Smith, of Maine, stating the fact that we had completed our business, we had not done any such thing, and had left this very bill unacted upon. Churchill C. Cambreleng did not report it from the committee of conferees. & Mr. Lewis is had to report it, long, long after the committee had returned to the House.—The Journal says so That gentleman made the report, and it was entered upon the journals. I was sitting by, & knew the fact also, though I cannot exactly ascertain when he returned to the House. I must say, that never did I see a gentleman more astonished than he was, when Mr. Churchill C. C mbreleng refused to make the report, and Mr. Lewis was then called upon to make it, and *I* saw him rise in his seat, take the report, and hand it to the Clerk, who has recorded it on the journals. He would make the report though the hour had passed and that he did make it the journals show No quorum! How do we come by receive the report of a committee set about counting noses, before we receive reports from committees? Sir, there was a quorum. They were in the lobby, & in every direction of the House I would say, if there was one, there were one hundred and fifty members in this Hall when that report was made. Gentlemen would not vote. They refused to vote. They knew their meaning and intention, it is not for me, sir, to divine into the human heart. These are facts

But, Mr Speaker, there are other important facts out with them, come rise in your high places all and tell the truth, the whole truth and nothing but the truth here and elsewhere There were two statements, I cannot vouch for them.—They say it failed in this house, that is not true It dropped before it got here; it dropped near that door. Did no gentleman receive a billet deux after he resumed his sea? I put it to the honorable Chairman of that Committee of conferees when he left that room, did he no intend to make that report? I put it to the gentleman, whether, after he returned in this House, and sat down by the gentleman from Ohio, side by side, with the report before him, if he did not intend to make that report. Why did the intention fail? What was in the way?—Sir, there was spirits haunting the capitol, and whisperings, and ghosts, as I am told, for I did not see them, and blue devil, and imps. Is it true, sir? I do not know it. I do not say it is true, sir? Is it true? Tell us I pause. Tell us, and and let the blame fall where it will, where it ought

Mr. CAMBRELENG. I can tell you.

Mr. WISE. I shall be glad if you do tell us, Mr. Speaker, there is another important fact which must out. On with all I, say Aye, you, Mr. Speaker, are concerned in that very inquiry Sir, I voted for this amendment And I see a gentleman before me who well knows it, for I believe I saw him making "apologies to the table" that night, and I have to make some apologies for that vote too. But, sir, under the impressions I had at the time *I* gave that vote, *I* would give the same vote again with the same information *I* then possessed.—Now, be it known by the way, that that gentleman, the gentleman from New York, did notify the house, and notify me personally, *I* believe, one or two days before, *I* recollect well you did notify me for one, and asked me to vote for it—*I* told you that without reference to a state of war at all, for a peace establishment *I* would vote, even five or six millions for the navy and army I knew a fact in relation to the officers of the navy and army, most disgraceful to those who have been superintending our affairs that not one of our fortifications, left since the last war, was in a state of repair. I knew that some twenty millions had been spent in commenced works, for not one has been completed, but commenced for electioneering purposes, or for purposes of patronage. I knew that from Florida to Maine there was not one single fort in a condition to mount a gun upon, and the guns we had were unfit for use. I knew we had put one ship of the line in commission I knew that the Inspectors of the naval ordnance had reported to us that 750 guns of the navy were totally unfit for service, and were now so on the decks of the ships, in such a condition, that I am told, even the men them elves are afraid to use them I knew with all this immense sum of appropriation, that three millions would be as a drop in the bucket. Knowing all this, I voted for that amendment Not with reference to war It was, sir, but the day before, aye, but twenty four hours before, that the gentleman from Massachusetts (Mr. Adams,) had withdrawn his resolution to make a contingent appropriation for war, after telling us to day that the next step of those who voted against that amendment was to join the enemy. Yes, sir, he gentleman himself withdrew that resolution, and on the very next day voted for the three million appropriation The gentleman from New York (Mr. Cambreleng) also withdrew a similar resolution, and himself proposed this appropriation—Could I then doubt, sir, that these three millions were not proposed in reference to war. I designed to vote what a state of peace required, for the repair of our fortifications, and to fix the Navy as it should be. I voted for the amendment for peace reasons, and not for war reasons. I thought it the best way to keep peace to be in a state of readiness for war, and that it would be no waste of the public money to appropriate twice the sum for the fortifications and the Navy. For these reasons I wanted no estimates from the President. But, sir, there were members in this House who did vote because the President desired it. There were some who knew the President desired it, and had called for it, and some did not Mr. Speaker, I charge you with that fact. You may deny it in your place or not If you do deny it I am ready with a witness to prove, that on the last night of the last session of Congress, pending the question of the three million appropriation, two members of Congress were hesitating about the propriety of voting for that appropriation when one of them proceeded to the [illegible] Ways and means, (the present Speaker,) and you informed him the President did desire it. [Mr. W was understood to read from some written memoranda he held in his hand] Sir, I charge you with being that member who——(Loud cries of "Order! Order!")

The CHAIR said, if it was desired of the present incumbent of the Chair to make any statement of any fact within his knowledge, he was ready to make it (Cries of no! no!)

Mr. MERCER said he considered the called upon the Speaker as such to be out of order; but the call with reference to him as a member of the last Congress, not to be out of order.

Mr. WISE. I make reference to the Chairman of the Committee of Ways and Means of the last Congress

The CHAIR said, if the House wished it, or would permit him, he would, with pleasure, make a brief statement.—(Cries of no! no! agreed! agreed!)

Mr. ADAMS said he would thank the gentleman from Virginia to rectify another mistake he had made with reference to him The gentleman had stated that Mr. A offered a resolution, declaring that means should be made for arming the country in a certain contingency.

Mr. WISE Yes, I read it from the journals.

Mr ADAMS. I offered no such resolution.

Mr. MERCER said, he thought the Speaker ought to be allowed to explain; and he hoped the House would yield its unanimous consent.

Mr. VINTON wished to know if the Speaker himself desired it; because, if not, he should object to it.

The CHAIR said he considered the whole proceedings out of order; but as he had been personally alluded to, he had not arrested it, and that it would afford him sincere pleasure if the House would permit him to make a statement.

No objection being made—

The SPEAKER (the House having given its permission, and many members expressing a desire that he should do so) said that the Chair took great pleasure in stating to the House, that upon that occasion he had felt great solicitude for the safety of the appropriation bills which, had not been acted on; perhaps the more solicitude, from the position he had at time the honor to occupy in the House as chairman of the Committee of Ways & Means, having as he had charge of some of these bills, and fearing that some responsibility devolved upon him His attention had been closely directed to them. He did remember, upon that occasion, when the three million appropriation was moved that in a casual conversation, two members of the House, two of his own colleagues from Tennessee, who were also members of the present house, and who at that time occupied seats immediately in his rear, asked him some question in relation to that appropriation, and that he replied that he thought it a proper appropriation, and one that ought to pass. He had, he said, no re

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